

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Ralph Quilla Woods (a/k/a Quilla Ralph Woods, ) C/A No.: 3:06-1352-JFA-JRM  
 Ralph W. Woods formerly #71198), # 200501833, )  
 )  
 Plaintiff, )  
 vs. ) **ORDER DISMISSING ACTION**  
 )  
 Joey Preston; David Crenshaw; and Deputy Baxter, )  
 )  
 Defendants. )  
 )

This matter is before the court for review of the Magistrate Judge’s Report and Recommendation (“the Report”) made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2) (D.S.C.).

The Magistrate Judge makes only a recommendation to the Court, to which any party may file written objections . . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

*Wallace v. Housing Auth. of the City of Columbia*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

Plaintiff, proceeding *pro se*, brings this action pursuant to 42 U.S.C. § 1983. He is a pretrial detainee in the custody of the Anderson County Detention Center. He essentially asks this

court to have his pending state charge dismissed and award him monetary damages. This complaint essentially repeats the claims made in the plaintiff's other case, *Woods v. Crenshaw*, C/A 3:06-1126-JFA-JRM, which the undersigned dismissed on May 12, 2006.

The United States Magistrate Judge to whom this matter was referred has filed a detailed Report and Recommendation suggesting that this action be dismissed for failure to state a claim upon which relief may be granted. As the Magistrate Judge notes, United States District Courts are not authorized to interfere with a State's pending criminal proceedings absent extraordinary circumstances which the plaintiff has failed to allege. *See Younger v. Harris*, 401 U.S. 37, 44 (1971).

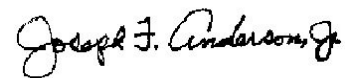
The plaintiff was advised of his right to file objections to the Report and Recommendation. On May 17, 2006, the plaintiff filed a one-page objection memorandum wherein he essentially repeats the allegations made in the complaint and fails to provide specific objections to the Report.

The court has reviewed the record in this case and the objections thereto and finds the Report proper. Thus, the Report and Recommendation is incorporated herein by reference.

Accordingly, this action is dismissed without prejudice and without issuance and service of process. The court will also deem the dismissal as a "strike" under the "three strikes" rule of 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

May 22, 2006  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge